

ORDINANCE NO. 10259 (N.S.)

**AN ORDINANCE AMENDING
SECTION 62.692 OF THE
SAN DIEGO COUNTY CODE
RELATING TO ROOSTER REGULATIONS**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that ownership of a large number of roosters should only be allowed for legitimate educational purposes. The existing ordinance allows individuals to own an unlimited number of roosters if the individual is a member of an organization such as 4-H or Future Farmers of America (FFA). The proposed ordinance amendment limits this exemption by requiring approved project plans.

Section 2. Section 62.692 of the San Diego County Code is amended to read as follows:

SEC. 62.692. ROOSTER REGULATIONS.

(a) Beginning on January 1, 2012, no person shall keep or maintain on any premises more roosters than are listed in the following table for the applicable size of the premises:

Size of Premises	Maximum Number of Roosters
< .5 acre	1
.5 to 1 acre	4
> 1 to 5 acres	6
> 5 acres	20

Each individual rooster that exceeds the number listed in the table above for the applicable size of the premises constitutes a separate violation of this ordinance.

(b)(1) Subsection (a) shall not apply to commercial poultry ranches the primary purpose of which is to produce eggs or meat for sale for human consumption, public or private schools, County-operated animal shelters or other animal-welfare organizations that employ humane officers as described in Corporations Code 14502.

(b)(2) Subsection (a) shall not apply to a member of a local chapter of 4-H or Future Farmers of America (FFA) provided all of the following factors are met:

- A) Written proof of current membership in 4-H or FFA shall be provided to any animal control officer, humane officer or peace officer upon demand;
- B) Written documentation and approval of a 4-H or FFA project that involves the roosters shall be provided to any animal control officer, humane officer or peace officer upon demand. The approval shall be from the 4-H, the County 4-H Advisor or the FFA. The documentation shall detail the nature of the project, number of roosters included in the project, breed of each rooster, duration of the project, purpose for keeping the roosters, and address where the roosters are kept and maintained;
- C) The roosters are on the property designated in the 4-H or FFA project documentation;
- D) The number of roosters on the premises does not exceed the number of roosters specified in the 4-H or FFA project documentation; and
- E) Any person seeking to assert this exemption shall allow an onsite inspection of the premises by an animal control officer, humane officer or peace officer upon demand to verify initial and continued eligibility for this exemption.

(c) Each enclosure for one or more roosters shall be located a minimum of 50 feet from any residence.

(d) Nothing in this Article shall be construed as authorizing the keeping of any roosters in violation of any other County ordinance including, but not limited to, the Zoning Ordinance. If there is any conflict between this ordinance and any other County ordinance, the most restrictive provision shall apply.

(e) No person shall maintain or keep any rooster by means of a tether attached to an object. Each individual rooster that is tethered constitutes a separate violation of this ordinance.

(f) Each rooster shall, at all times, be provided with:

- (1) Access to water and shelter from the elements (rain, wind, direct sun, etc.).
- (2) Sufficient room to spread both wings fully and to be able to turn in a complete circle without any impediment and without touching the side of an enclosure.
- (3) Clean and sanitary premises that are kept in good repair.

(g) An animal control officer, humane officer or peace officer may enter private property to inspect the property when the person entering has reasonable cause to believe that there is a violation of this section.

Section 3. This ordinance shall take effect and be in force 30 days after its passage, and before the expiration of 15 days after its passage, a summary hereof shall be published once with the

names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation in the County of San Diego.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 23rd day of April, 2013.

Approved as to Form and Legality
THOMAS E. MONTGOMERY, County Counsel
By George Seikaly, Senior Deputy